



# Public Meeting

## Central Valley Regional Water Quality Control Board

Thursday – 4 September 2003 – 1:00 p.m.  
Friday – 5 September 2003 – 8:00 a.m.  
Central Valley Regional Water  
Quality Control Board  
3443 Routier Rd., Suite A  
Sacramento, CA 95827

The purpose of this meeting is for the Board to obtain testimony and information from concerned and affected parties and to make decisions based on the information received.

Persons who want to submit written comments or evidence on any agenda item must comply with the **Meeting Procedures** described at the end of the listing of **Agenda** items. Persons wishing to speak at the meeting should complete an attendance card and provide it to staff. Although otherwise filling out the attendance card is voluntary, we do appreciate receiving a card from all persons in attendance.

Persons applying for, or actively supporting or opposing, waste discharge requirements before the Board must comply with legal requirements if they or their agents have or propose contributing more than \$250 to a Board member for an election campaign. Contact the Board office for details if you fall into this category.

*Items showing times will begin no sooner than indicated. Items are numbered for identification purposes only and may not be considered in order. They may, however, be delayed by previous items.*

Technical questions regarding agenda items should be directed to the responsible staff person whose name and direct phone number are indicated by the agenda item. If no staff person is listed, or for general questions and requests for agenda material, please contact Janice Tanaka at (916) 255-3039.

The facility is accessible to people with disabilities. Individuals requiring special accommodations are requested to contact Ms. Tanaka at (916) 255-3039 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Board agendas and the approved minutes of Board meetings are posted on the Regional Board's website at <http://www.swrcb.ca.gov/rwqcb5>.

A listing of pending applications for Water Quality Certifications, pursuant to section 401 of the Federal Clean Water Act, may be obtained from the Regional Board's Web Page at [http://www.swrcb.ca.gov/rwqcb5/public\\_notices](http://www.swrcb.ca.gov/rwqcb5/public_notices) or by calling Pat Gillum at (916) 255-3397.

The **Agenda** for this meeting begins on the next page.

**TIME LIMITATIONS**

**In order to move the Board meeting along in a timely manner, and assure time for adequate consideration of items later in the Agenda, the Chair may enforce maximum time limitations on each item. The goal is to complete all presentations, cross-examination, Board deliberation and voting within the allotted time. Allotted times are listed on the agenda following each item. Please consider the allotted time when preparing your presentations. Items with specific times listed will not be heard before that time but may be heard later.**

**THURSDAY – 4 SEPTEMBER 2003 – 1:00 p.m.****INTRODUCTIONS**

1. Introductions, pledge of allegiance, and approval of minutes from the Regular Meetings of 6 June 2003 and 10/11 July 2003.
2. Meeting Rules and Procedures
3. Public Forum - *Any member of the public may address the Board on any matter within the Board's jurisdiction and not scheduled for consideration at this meeting (5 minute time limit per subject) 1:00 p.m.*
4. Board Member Communications - *Regional Board Members and the State Board Liaison Member may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Board's jurisdiction. There will be no voting or formal action taken.*
5. Executive Officer's Report [available on the Internet at [http://www.swrcb.ca.gov/rwqcb5/monthly\\_board\\_report](http://www.swrcb.ca.gov/rwqcb5/monthly_board_report)]

**ENFORCEMENT**

6. J. W. Myers, Inc., Avenue 14 Site, Madera County – *Consideration of Administrative Civil Liability Orders* [Brian Erlandsen (559) 445-6071] **(Time Limit – 30 minutes)**

**OTHERS BUSINESS**

7. Results of Feasibility Study for a Glennville Community Water Supply System, Glennville – *A Status Report* [Greg Issinghoff (559) 488-4390] **(Time Limit – 15 minutes)**
8. Kern County - Status of Discharges of Acid Mine Drainage, New Idria, San Benito County – *A Status Report* [Pete Osmolovsky (559) 445-6080] **(Time Limit – 30 minutes)**
9. Budget Discussion – *A Status Report* [Richard Loncarovich (916) 255-3040] **(Time Limit – 30 minutes)**

**FRIDAY – 5 SEPTEMBER 2003 – 8:00 a.m.**

10. Introductions and pledge of allegiance.
11. Meeting Rules and Procedures
12. The Regional Board will meet in closed session to consider personnel matters [Authority: Government Code Section 11126(a)]
13. Public Forum - *Any member of the public may address the Board on any matter within the Board's jurisdiction and not scheduled for consideration at this meeting (5 minute time limit per subject) 9:00 a.m.*
14. The Board will be asked to approve items 19 through 26 with no discussion if no one is here to testify about them; see pages 3 and 4 for description/listing of items – **9:00 a.m.**

**ENFORCEMENT**

15. Moss Creek Winery and Harold Moskowitz, Napa County - *Consideration of Administrative Civil Liability Order* [Guy Childs (916) 255-3048] **(Time Limit – 45 minutes)**
16. City of Escalon, Escalon Wastewater Treatment Plant, San Joaquin County - *Consideration of a Cease and Desist Order* [Tim O'Brien (916) 255-3116] **(Time Limit – 60 minutes)**

**OTHER BUSINESS**

17. Development of a Policy to Protect Sources of Drinking Water in the Central Valley Region – *A Status Report* [Karen Larsen (916) 255-0746] **(Time Limit – 30 minutes)**

**NPDES PERMITS**

18. City of Stockton, Regional Wastewater Control Facility, San Joaquin County – *Consideration of a Resolution Allowing the Executive Officer to enter into a Stipulation to Stay Portions of NPDES Permit and Cease and Desist Order* [Pat Leary (916) 255-3023] **(Time Limit – 30 minutes)**

**UNCONTESTED ITEMS CALENDAR**

**Uncontested items are expected to be routine and noncontroversial; recommendations will be acted on without discussion. If any interested party, Board, or staff member requests discussion, the item may be removed from the Uncontested Items Calendar and taken up in the regular agenda order, or in an order determined by the Board Chair – 8:30 a.m.**

**ENFORCEMENT**

19. Ten Barrel Quarter Circle Land Inc., Ten Barrel Quarter Circle Inc., and Escalon Cellars, San Joaquin County - *Consideration of a Revised Cease and Desist Order* [Tim O'Brien (916) 255-3116]
20. Amador County Public Works Agency, Amador Water Agency, Amador County Service Area No. 3, Lake Camanche Village Wastewater Treatment Plant, Amador County- *Consideration of a Revised Cease and Desist Order* [Scott Kranhold (916) 255-3389]
21. Placer County Department of Facility Services, Sunset Septage Receiving Facility, Placer County – *Consideration of Rescission of Cease and Desist Order* [Bill Brattain (916) 255-3122]
22. City of Alturas, Wastewater Treatment Plant, Modoc County - *Consideration of Cease and Desist Order* [Jim Rohrbach (530) 224-4859]

**NPDES PERMITS**

23. Uncontested NPDES Permits
  - a. City of Vacaville, Easterly Wastewater Treatment Plant, Elmira, Solano County (amendment)
  - b. City of Redding, Clear Creek Wastewater Treatment Plant, Shasta County (renewal)
  - c. City of Colusa, Wastewater Treatment Plant, Colusa County (revision)
  - d. City of Modesto Municipal Separate Storm Sewer System, Stanislaus County (revision)
  - e. City of Stockton and County of San Joaquin, Phase I Municipal Separate Storm Sewer System Permit, San Joaquin County (revision)

**WASTE DISCHARGE REQUIREMENTS**

24. Uncontested Rescissions
  - a. Sunset International Petroleum Corporation, Raisin City Oil Field, Fresno County, Resolution No. 59-221
  - b. Macpet, Raisin City Oil Field, Fresno County, Resolution No. 69-291

- c. US Air Force, McClellan Air Force Base, Davis Transmitter Site, Yolo County, Order No. 87-018
- d. Mehdi Orandi Pistachio Plant, Tulare County, Order No. 93-061
- e. Lionudakis Wood and Green Waste Recycling Inc., Lionudakis Wood and Green Waste Composting Facility, Sacramento County, Order No. 5-00-035
- f. Charles Spinetta, Charles Spinetta Winery, Amador County, Order No. R5-2002-0033

25. Uncontested Change of Name and/or Ownership

- a. West American Energy, Lord One Lease, South Belridge Oil Field, Kern County, Order No. 58-18401
- b. Cal Mill-Pioneer, Cal Mills Eco Farm, LLC, Amador County, Order No. 86-023
- c. Wave Technologies, Inc., Claflin Facility, Edison Oil Field, Kern County, Order No. 92-11030
- d. Porterville Citrus, Terra Bella, Tulare County, Order No. 94-302
- e. Community Renewable Energy Services, Inc., Dinuba Energy Cogeneration Facility, Order No. 95-045
- f. Longbow, LLC, National Development-Merzoian Lease, Deer Creek Oil Field, Tulare County, Order No. 5-00-240
- g. Berry Petroleum Company, USL-35, USL-14 Desert Glow, McVan and Fitzhugh Leases, Poso Creek Oil Field, Kern County, Order No. 5-2001-133
- h. Chevron Texaco Exploration & Production, Inc., Kern River Oil Field, Order No. R5-2002-0052
- i. Chevron Texaco Exploration & Production, Inc., Kern River Oil Field, Order No. R5-2002-0053

26. Uncontested Waste Discharge Requirements

- a. Campbell Soup Supply Company, LLC, Seed Research and Development Facility, Yolo County (new)
- b. Kipling Korth, Kim Korth Stumph and Thomas Stumph, Korths Pirate Lair, Sacramento (new)
- c. David Biron, Big Break Marina, Contra Costa (new)
- d. Stephen J. Schuster and Sierra Moon Homeowners' Association, Wastewater Treatment and Disposal Facility, Butte County (new)
- e. Siller Brothers, Inc., dba Sound Stud, Shasta County (new)
- f. Louisiana-Pacific Corp, for the Closed Red Bluff Class III Wood Waste Landfill, Tehama County (update)
- g. Chevreux Family Trust, 1973, Chevreux Aggregates, Inc., Chevreux Concrete, Inc., ARP Ranch, Inc., Nevada Irrigation District, Chevreux Aggregates Facility, Placer and Nevada Counties (revision)
- h. California Natural Products, Wastewater Treatment Facility, San Joaquin County (revision)
- i. City of Lincoln, Lincoln Landfill, Class III Landfill, Post-Closure Maintenance And Corrective Action, Placer County (revision)
- j. Butte-Glenn Community College District, Butte College Wastewater Treatment Plant, Butte County (revision)
- k. County of Tehama and City of Red Bluff, for Construction and Operation of Tehama County and City of Red Bluff, Class III Municipal Solid Waste Landfill, Tehama County, (revision)
- l. United States Army Corps of Engineers, Department of Water Resources, The Port of Stockton, Stockton Deep Water Ship Channel Maintenance Dredging Activities from Channel Mile 4.4 to Mile 41.0, Contra Costa, Sacramento and San Joaquin Counties (revision)
- m. County of Tulare, Visalia Municipal Solid Waste Landfill, Tulare County (revision)

27. The Regional Board may meet in closed session on Thursday or Friday to consider personnel matters [Authority: Government Code Section 11126(a)]; to discuss matters in litigation, including discussion of initiated litigation, significant exposure to litigation, or decisions to initiate litigation [Authority: Government Code Section 11126(e)]; or to deliberate on a decision to be reached based upon evidence introduced in a hearing [Authority: Government Code Section 11126(c)(3)]. Items that may be discussed are:

1. *CVRWQCB, et al. v. Aerojet-General Corp.*, et al, Sacramento Co. Sup. Ct. No. 286073, consolidated with Nos. 288302 and 291981; *CVRWQCB, et al. v. Aerojet-General Corp., et al.*, USDC (EDCal) No. CIV-S-86-0064-EJG (consolidated with *U.S. v. Aerojet-General Corp., et al.*, USDC (EDCal) No. CIV-S-86-0063-EJG).
2. *American States Water Co., et al., v. CVRWQCB, et al.*, Sacramento Co. Sup. Ct. No. 99AS05947.
3. *Sacramento Regional Co. Sanitation Dist. v. SWRCB, et al.*, Sacramento Co. Sup. Ct. No. 98CS01702.
4. *State of Calif., CVRWQCB, et al. v. Iron Mountain Mines, Inc., et al.*, USDC (EDCal) No. CIV-S-91-1167-DFL-PAN and *U.S. v. Iron Mountain Mines, Inc., et al.*, USDC (EDCal) No. S-91-0768 DFL/JFM.
5. *State of Calif. ex rel CIWMB, et al. v. Edward J. Filbin, et al.* (Westley Tire Fire).
6. *San Francisco Baykeeper, Inc., et al. v. SWRCB, et al.*, Sacramento Co. Sup. Ct. No. 99CS02722. (Toxic Hot Spots)
7. *CVRWQCB v. Cedar Point Properties, Inc., Daniel R. Kennedy, et al.*, Plumas Co. Sup. Ct. No. 19897 (Walker Mine)
8. *Coalition for Alternatives to Kiefer Landfill v. SWRCB, et al.*, Sacramento Co. Sup. Ct. No. 01CS00728.

9. ***CVRWQCB v. A Greener Globe Corp., et al.***, Placer Co. Sup. Ct. No. SCV11383.
10. ***CVRWQCB v. Sonora Mining Corp., et al.***, Tuolumne Co. Sup. Ct. No. CV 486 (Jamestown Mine).
11. ***Original Sixteen to One Mine, Inc. v. CVRWQCB***, Sierra Co. Sup. Ct. No. 5511.
12. ***City of Brentwood v. CVRWQCB***, Contra Costa Co. Sup. Ct. No. 2-0160.
13. ***State of Calif., City of Lodi v. M&P Investments, et al.***, USDC (EDCal) No. CIV S-00-2441 FCD.
14. ***City of Merced, et al., v. R.A. Fields, CVRWQCB***, U.S. Court of Appeals (Ninth Cir.) D.C. No. CV-F 92-5627 (REC/DLB) EDCal; ***City of Merced, et al., v. R.A. Fields, et al.***, USDC (EDCal) No. CV-F 92-5627 REC/DLB.
15. ***National Park Service, El Portal WWTF***, Administrative Civil Liability Order No. 5-01-031.
16. ***Petitions of Meridian Beartrack Co., et al.***, SWRCB/OCC Files A-1369, A-1469, A-1569.
17. ***Petition of Sacramento Co. for Review of WDRs Order No. 5-01-256***, Sacramento Co. Boys Ranch, SWRCB/OCC File A-1431.
18. ***Petitions of (1) City of Stockton and Co. of San Joaquin and (2) DeltaKeeper, et al., for Review of WDRs Order No. R5-2002-0181***, SWRCB/OCC Files A-1524 and A-1524(a). (Storm water permit)
19. ***Petition of Co. of Sacramento and Cities of Sacramento, Galt, Folsom and Elk Grove for Review of WDRs Order No. R5-2002-0206***, SWRCB/OCC File A-1538. (Storm water permit)
20. ***Petitions of (1) DeltaKeeper; San Francisco BayKeeper; Natural Resources Defense Council; California Public Interest Research Group; The Ocean Conservancy; California Sportfishing Protection Alliance and (2) Agricultural Water Quality Coalition, for Review of the Agricultural Return Flow Waiver***, SWRCB/OCC Files A-1536(a) and A-1536.
21. ***Deltakeeper, et al v. CVRWQCB***, Sacramento Co. Sup. Ct. No. 03CS00032 (Ag Waiver CEQA lawsuit).
22. ***City of Stockton v. SWRCB et al.***, San Joaquin Co. Sup. Ct. No. CVO20665 (NPDES permit).
23. ***City of Vacaville v. SWRCB et al.***, Solano Co. Sup. Ct. No. FCSO20945 (NPDES permit).
24. ***Deltakeeper, et al v. CVRWQCB***, Alameda Co. Sup. Ct. (Timber Harvest Waiver lawsuit)
25. ***Kuneman, et al., v. California Water Service, City of Marysville, County of Yuba, State of California, et al.***, Yuba Co. Sup. Ct. YCSCCVCV 03-0000218.
26. ***The Cities of Elk Grove, Folsom, Sacramento and County of Sacramento v. SWRCB, et al.***, Sacramento Co. Sup. Ct. No. 03CS00685 (Storm water permit lawsuit).
27. ***Petition of DeltaKeeper, et al.***, for Review of WDRs Order No. R5-2003-0003, NPDES Permit for University of California, Davis Wastewater Treatment Plant, SWRCB/OCC File A-1551.
28. ***Petition of the Association of Irrigated Residents; Communities for Land, Air U Water; DeltaKeeper***, for Review of the Confined Animal Facility Waiver, SWRCB/OC File A-1537.
29. ***Association of Irrigated Residents, et al v. CVRWQCB***, Sacramento Co. Sup. Ct. No. 03CS00064. (Confined Animal Facilities CEQA lawsuit).
30. ***Petition of AmeriPride Services, Inc.***, SWRCB/OCC File A-1570.
31. ***Petition of Yuba City***, for Review of WDRs Order No. R5-2003-0085 and Cease and Desist Order No. R5-2003-0086, SWRCB/OCC File A-1580.
32. ***City of Yuba City v. Regional Water Quality Control Board, Central Valley Region***, Sacramento Co. Sup. Ct., 03CS01038.
33. ***Petition of City of Woodland***, for Review of WDRs Order No. R5-2003-0031 (NPDES No. CA0077950) and Cease and Desist Order No. R5-2003-0032, SWRCB/OCC File A-1561.
34. ***Petition of City of Chico***, Review of Cleanup and Abatement Order No. R5-2003-0707, SWRCB/OCC File A-1575.
35. ***Petition of Butte County***, for Review of Cleanup and Abatement Order No. R5-2003-0707, SWRCB/OCC File A-1575(a).
36. ***Petition of Edmund and Juli Johnson***, Review of Cleanup and Abatement Order No. R5-2003-0707, SWRCB/OCC File A-1575(b).
37. ***Petition of California Park Association***, for review of Cleanup and Abatement Order No. R5-2003-0707, SWRCB/OCC File A-1575-c.
38. ***Petition of Wine Institute and Family Winemakers of California***, Review of General Waste Discharge Requirements Order No. R5-2003-0029, SWRCB/OCC File A-1563.
39. ***Petitions for review of July 11, 2003 action re rescission of conditional waiver and adoption of conditional waiver regarding discharges from irrigated lands (ag waiver)***.
40. ***Petition of Sacramento County for Review of WDRs No. 5-01-256*** (Sacramento County Boys Ranch Wastewater Treatment Facility) (SWRCB/OCC File A-1431)